

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (currently amended) A method for determining a patient's blood oxygen transport, comprising:
- obtaining a blood sample from the patient;
 - measuring a rate of oxygen diffusion across a membrane of a red blood cell of the blood sample; and
 - correlating the measured rate with:
 - ~~established levels of blood lipid to determine the patient's blood lipid level;~~
 - susceptibility to angina observed in a control population, or in the patient, at the measured rate; and
 - ~~established levels of blood lipid to determine the patient's relative or absolute blood lipid level; or~~
 - ~~combination thereof~~
 - residence time of the blood in the heart ^{of the patient} during stress.
2. (original) The method of claim 1, wherein the step of measuring comprises:
- exposing the red blood cell to oxygen;
 - exposing the red blood cell to an environment depleted of oxygen; and
 - monitoring either a blood level of oxygen, a level of oxygen bound to hemoglobin, or both.
3. (original) The method of claim 2, wherein exposing the red blood cell to oxygen comprises circulating a blood sample in a closed loop diffusion chamber, the chamber housing an atmosphere comprising oxygen.

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

4. (original) The method of claim 3, wherein the atmosphere comprising oxygen comprises atmospheric gas pressures.

5. (original) The method of claim 4, wherein the gas pressures comprise about 160 mm Hg O₂ and about 4 mm Hg CO₂.

6. (original) The method of claim 3, wherein the atmosphere comprising oxygen comprises capillary gas pressures.

7. (original) The method of claim 6, wherein the gas pressures comprise about 23 mm Hg O₂ and about 46 mm Hg CO₂.

8. (original) The method of claim 3, wherein circulating lasts for about 6 min.

9. (original) The method of claim 2, wherein exposing the red blood cell to an environment depleted of oxygen comprises circulating a blood sample in a closed loop diffusion chamber, the chamber housing an atmosphere comprising nitrogen and depleted of oxygen.

10. (original) The method of claim 9, wherein the atmosphere is supplied from a container of commercial grade nitrogen gas.

11. (original) The method of claim 9, wherein circulating lasts for about 15 min.

12. (original) The method of claim 2, wherein the step of exposing the red blood cell to oxygen precedes the step of exposing the red blood cell to an environment depleted of oxygen.

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003.

13. (original) The method of claim 2, wherein the step of exposing the red blood cell to an environment depleted of oxygen precedes the step of exposing the red blood cell to oxygen.

14. (original) The method of claim 1, wherein the measuring step is performed on a whole blood sample comprising anticoagulant.

15. (presently amended) An apparatus for measuring diffusion of oxygen across a red blood cell membrane comprising an oxygen level detector, a gas exchange system, and a red blood cell transport system;
wherein the red blood cell transport system ~~(that) being configured to transport~~^{a)} a fluid containing red blood cells through the gas exchange system and the oxygen level detector, the red blood cell transport system comprising:

- a) a sample receiving system configured to take in a sample of a red blood cell;
- b) a pump ~~that configured to transport~~ a red blood cell from the sample receiving system to the gas exchange system and the oxygen level detector;

b) the gas exchange system ~~(that) configured to couple~~^{b)} to a gas source and to exchange a gas with the ~~(fluid)~~^{sample} containing the red blood cell(s) at a rate faster than the rate at which the gas diffuses across a membrane of the red blood cell, the gas exchange system comprising:

- a) a housing defining a gas inlet, a gas outlet, and a chamber;
- b) a gas permeable tubing at least partially located within the housing for diffusing the gas from the chamber to a red blood cell contained within the gas permeable tubing;

wherein the gas permeable tubing comprises a lumen effective for containing red blood cells; the housing exposing successive sample^s of red blood cells to the gases without cross-contamination between the samples;

obvious from page

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

the oxygen level detector ~~that~~ configured to detects oxygen levels in a red blood cell or in fluid surrounding the red blood cell, the oxygen level detector comprising:

- a) a light source producing light having an absorption free wavelength;
- b) at least one filter;
- c) photopickups to detect the transmission of light at the absorption free wavelength; and

a control system comprising a microprocessor electronically coupled to the oxygen level detector, the gas exchange system, and the red blood cell transport system to operably derive amounts of oxygen levels in a red blood cell.

16. (canceled)

17. (original) The apparatus of claim 15, wherein the oxygen level detector comprises a spectrophotometric detector.

18. (original) The apparatus of claim 15, wherein the oxygen level detector comprises a fluorometric detector.

19. (previously amended) The apparatus of claim 15, wherein the gas exchange system comprises a closed loop diffusion system; the closed loop diffusion system comprising the gas permeable tubing and the housing.

20. (previously amended) The apparatus of claim 15, wherein the pump of the red blood cell transport system comprises an aspirator.

21. (original) The apparatus of claim 20, wherein the pump is a peristaltic pump.

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

22. (previously amended) The apparatus of claim 15, further comprising a cartridge-type insert; the cartridge-type insert and the red blood cell transport system comprising the gas permeable tubing; the cartridge-type insert being configured to be inserted into the apparatus, and removed from the apparatus for disposal.

23. (previously amended) The apparatus of claim 15, further comprising a modular system insert and a receiving and diffusion system, the modular system insert and the red blood cell transport system comprising the receiving and diffusion system; the receiving and diffusion system being configured to exchange a gas with a fluid containing red blood cells; the modular system insert being arranged and configured for inserting into the apparatus, removing from the apparatus, and disposal.

24. (previously amended) A method for determining a patient's susceptibility to angina, comprising:

obtaining a blood sample from the patient;

measuring a rate of oxygen diffusion across a membrane of a red blood cell of the blood sample;

correlating the measured rate with the susceptibility to angina observed in a control population, or in the patient, at the measured rate; and

correlating the measured rate with residence time of the blood in the heart during stress. ^{of the patient}

25. (original) The method of claim 24, wherein the step of measuring comprises:

exposing the red blood cell to oxygen;

exposing the red blood cell to an environment depleted of oxygen; and

monitoring either a blood level of oxygen, a level of oxygen bound to hemoglobin, or both.

26-34. (canceled)

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

35. (previously added) The apparatus of claim 15, wherein the sample receiving system comprises a vacutainer.

36. (previously added) The apparatus of claim 15, wherein the sample receiving system is reversibly coupled to the apparatus for disposal after use.

37. (previously added) The apparatus of claim 36, wherein the sample receiving system reversibly clips to the apparatus.

38. (previously added) The apparatus of claim 15, wherein the sample receiving system comprises a syringe.

39. (previously added) The apparatus of claim 15, wherein the gas permeable tubing has a flat shape.

40. (previously added) The apparatus of claim 15, wherein the gas permeable tubing has a rectangular shape.

41. (previously added) The apparatus of claim 15, wherein the gas permeable tubing is a removable component of the gas exchange system for disposal of the tubing and red blood cell without contamination of the gas exchange system.

42. (previously added) The apparatus of claim 15, wherein chamber of the gas exchange system is an environmental chamber having a predetermined oxygen atmosphere concentration within the chamber.

43. (previously added) The apparatus of claim 42, wherein the oxygen atmosphere concentration increases oxygen diffusion of a red blood cell by about 97.5% in about one minute.

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

44. (previously added) The apparatus of claim 42, wherein the oxygen atmosphere concentration is at about 40 mm Hg and decreases oxygen diffusion of a red blood cell by about 75.0%.

45. (previously added) The apparatus of claim 42, wherein the oxygen atmosphere concentration is at about 20 mm Hg and decreases oxygen diffusion of a red blood cell by about 40.0% in less than 20 minutes.

46. (previously added) The apparatus of claim 45, wherein the oxygen atmosphere concentration decreases the oxygen diffusion of a red blood cell in less than 2 minutes.

47. (previously added) The apparatus of claim 17, further comprising dual spectrophotometric detectors for determination of plasma oxygen and oxygenated hemoglobin.

48. (previously added) The apparatus of claim 15, wherein the light source produces light at a wavelength of at least 358 nm.

49. (previously added) The apparatus of claim 48, wherein the light source produces light at a wavelength of about 660 nm.

50. (previously added) The apparatus of claim 48, wherein the light source produce light at a wavelength of about 805 nm.

51. (previously added) The apparatus of claim 15, wherein the control system comprises a measuring system that measures the amount of diffusion ^{of oxygen across a red cell membrane} at least once every 15 seconds.

Appl. No. 09/600,094
Amendment dated July 7, 2003
Reply to Office Action of January 7, 2003

52. (previously added) The apparatus of claim 51, wherein the control system further comprises a display for displaying the measurements taken by the measuring system of the apparatus.

53. (previously added) The apparatus of claim 51, wherein the control system further comprises a printer for printing the measurements taken by the measuring system of the apparatus.

54. (previously added) The apparatus of claim 51, wherein the control system further comprises a data retention apparatus for retaining data measurements taken by the measuring system of the apparatus.

55. (currently amended) ~~The method of claim 1, comprising:~~
A method for determining a patient's blood oxygen transport, comprising:
obtaining a blood sample from the patient;
measuring a rate of oxygen diffusion across a membrane of a red blood cell of the
blood sample; and

correlating the measured rate with established levels of blood lipid to determine the patient's relative or absolute blood lipid level; and

further comprising comparing the patient's lipid level to the patient's previous lipid level measured at an earlier time.

56. (canceled)